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LABOR RELATIONS COUNSEL III

Final Filing Date: July 16, 2007

Equal Opportunity Employer – "Equal Opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, medical condition, disability, religious or political affiliation, age, or sexual orientation." "It is an objective of the State of California to achieve a drug-free state workplace. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the state, the rules governing civil service, and the special trust placed in public servants."

THIS IS AN OPEN EXAMINATION - SPOT - SACRAMENTO

EXAMINATION TYPE

Open – Spot for Sacramento. Position(s) for the Labor Relations Counsel III are located in Sacramento. Applications will not be accepted on a promotional basis. Career credits do not apply.

WHO CAN APPLY

Persons who meet the minimum qualifications as stated on this bulletin.

HOW TO APPLY

Applications (STD 678) may be obtained at the Department of Personnel Administration (DPA), local offices of the Employment Development Department and on the State Personnel Board's web site www.spb.ca.gov. Applications must be filed in person or by mail with:

Department of Personnel Administration
Administrative Services Division
Attention: Examination Unit
1515 "S" Street, North Building, Suite 400
Sacramento, CA 95811-7258

DO NOT SUBMIT APPLICATIONS TO THE STATE PERSONNEL BOARD

Applications (STD 678) must be submitted by the final filing date. Mailed applications must be POSTMARKED by the United States Postal Service by the final filing date. If you are personally delivering your application, you must do so between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, on or before the final filing date to the address listed above. Applications postmarked, personally delivered, or received via interoffice mail after the final filing date, will not be accepted for any reason. Metered mail is prohibited. Faxed and/or electronic (e-mail) applications will not be accepted.

NO WRITTEN TEST REQUIRED

The entire examination will consist of an oral interview.

FINAL FILING DATE

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SPECIAL TESTING ARRANGEMENTS

If you need reasonable accommodations to take an interview, mark the appropriate box in Item 2 on your application. You will be contacted to make specific arrangements.

SALARY RANGE

\$7686 - \$9484

**IDENTIFICATION
REQUIRED**

NOTE: Accepted applicants are required to bring either a photo identification card or two forms of signed identification to each phase of the examination.

**REQUIREMENTS
FOR ADMITTANCE
TO THE
EXAMINATION**

All applicants must meet the education and/or experience requirements for this examination by the final filing date. It is your responsibility to make sure you meet the education and/or experience requirements stated below. Your signature on your application indicates that you have read, understood, and possess the basic qualifications required.

NOTE: All applications/resumes must include "to" and "from" employment dates (month/day/year), time base, and applicable civil service classification title(s). Applications/resumes without this information will be rejected.

**MINIMUM
QUALIFICATIONS**

Experience applicable to one of the following patterns may be combined on a proportional basis with experience applicable to the other to meet the total experience requirement. However, experience in California state service applied toward "Pattern II" must include the same number of years of qualifying experience as required in "Pattern I" performing the duties at a level of responsibility equivalent to that described in "Pattern I".

In addition, all candidates must have membership in The State Bar of California (applicants must have active membership in The State Bar before they will be eligible for appointment).

EITHER I

Two years of experience in the California state service performing legal duties* in labor law and including civil or administrative litigation in a level of responsibility equivalent to Labor Relations Counsel II. (Applicants who have completed 18 months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be eligible for appointment.)

OR II

Seven years of responsible experience in the practice of law*, of which five years must be in labor law and include administrative or civil litigation experience.

*Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

**MEMBERSHIP
REQUIREMENT**

Candidate must have membership in The State Bar of California. (Applicants must have active membership in The State Bar before they will be eligible for appointment).

**POSITION
DESCRIPTION**

Incumbents in this class are well-experienced advanced or full journey-level attorneys who have developed expertise in labor law, personnel law, administrative law and civil litigation. They have demonstrated the ability to capably perform the most complex and sensitive legal work of the DPA on an independent basis. A Labor Relations Counsel III conducts appellate litigation that involves a high degree of importance and complexity. They work with broad discretion and minimal supervision on matters of the greatest difficulty and handle lengthy hearings and litigation. They work with and advise the Department staff and Director on labor relations and non-merit personnel matters of the greatest difficulty. They may act as a lead person in coordinating the work of other attorneys.

**EXAMINATION
INFORMATION**

The entire exam will consist of a qualifications appraisal interview, weighted 100%. It is anticipated that interviews will be held during August/September 2007. In order to obtain a position on the eligible list, a minimum rating of 70% must be attained in the interview.

QUALIFICATIONS APPRAISAL – WEIGHTED 100%

SCOPE

In addition to evaluating the candidate's relative knowledge and abilities as demonstrated by quality and breadth of experience, emphasis will be on measuring competitively, relative to job demands, each candidate's:

A. Knowledge of:

1. Legal principles and their applications;
2. Legal research methods;
3. Administrative law and the conduct of proceedings before administrative bodies;
4. Scope, character and principles of California statutory law, provisions of the California Constitution, administrative regulations and case law authorities administered or enforced by the DPA;
5. Principles of labor law, personnel law, administrative law and civil litigation;
6. Rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies;
7. Obligations of public officials and administrative boards and agencies;
8. Duties and powers of the DPA.

B. Ability to:

1. Analyze legal principles and precedents and apply them to complex legal and administrative problems;
2. Perform and direct legal research;
3. Present statements of facts, law and argument clearly and logically in written and oral form;
4. Draft, opinions, pleadings, rules, regulations, and legislation;
5. Negotiate effectively;
6. Recognize the special problems of employer-employee relations;
7. Independently present difficult and complex cases before administrative bodies and trial and appellate courts;
8. Draft proposed legislation and administrative regulations;
9. Handle difficult legal correspondence;
10. Analyze situations accurately and adopt an effective course of action;
11. Direct the work of clerical staff, professional assistants and lower level attorneys;
12. Effectively carry out the Department's Equal Employment Opportunity Program.

ADDITIONAL DESIRABLE QUALIFICATIONS

Experience in State or public sector employer-employee relations law.

ELIGIBLE LIST INFORMATION/ LIST EXPIRATION

An open eligible list will be established for the DPA. The list will be abolished 24 months after it is established unless the needs of the service and conditions of the list warrant a change in this period.

VETERAN'S PREFERENCE

Veteran's preference credit will not be granted in this examination since it does not qualify as an entrance examination under the law.

QUESTIONS?

If you have any questions concerning this announcement, contact the DPA Examination Unit at (916) 324-3227.

GENERAL INFORMATION

THE DEPARTMENT OF PERSONNEL ADMINISTRATION reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service laws and rules and all competitors will be notified.

IT IS THE CANDIDATE'S RESPONSIBILITY to contact the Department of Personnel Administration, Examination Unit (916) 324-3227 three weeks after the final filing date of your State Application (STD 678) if he/she has not received a progress notice.

FOR AN EXAMINATION WITHOUT A WRITTEN FEATURE it is the candidate's responsibility to contact the Department of Personnel Administration, Examination Unit (916) 324-3227 three weeks after the final filing date if he/she has not received a progress notice.

APPLICATIONS are available at the Department of Personnel Administration, local offices of the Employment Development Department and on the State Personnel Board's web site: www.spb.ca.gov

IF YOU MEET THE REQUIREMENTS stated on this bulletin, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

GENERAL QUALIFICATIONS: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the classification. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

IF A CANDIDATE'S NOTICE of oral interview fails to reach him/her prior to the day of the interview due to a verified postal error; he/she will be rescheduled upon written request.

INTERVIEW SCOPE: When an interview is conducted, in addition to the scope described on this bulletin, the panel will consider education, experience, personal development, personal traits, ability, and fitness. In appraising experience, more weight will be given to the breadth and regency, of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than to the length of his/her experience. Evaluation of a candidate's personal development will include consideration of his/her recognition of his/her own training needs; his/her plans for self-development; and the progress he/she has made in his/her efforts toward self-development.

ELIGIBLE LISTS: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) subdivisional promotional; 2) departmental promotional; 3) multidepartmental promotional; 4) servicewide promotional; 5) departmental open; 6) open. When there are two lists of the same kind, the older list must be used first.

VETERANS PREFERENCE: California law allows granting of veterans preference points in open entrance examinations and open nonpromotional examinations. 1) Credit in open entrance examinations is granted as follows: 10 points for veterans, widows or widowers of veterans, and spouses of 100% disabled veterans; and 15 points for disabled veterans. 2) Credit in open nonpromotional examinations is granted as follows: Five (5) points for veterans; and 10 points for disabled veterans. Veteran's preference points will be added to the final score of those competitors who are successful in this examination, and who qualify for, and have requested these points. Due to changes in the law, which were effective January 1, 1996, **VETERANS WHO HAVE ACHIEVED PERMANENT CIVIL SERVICE STATUS ARE NOT ELIGIBLE TO RECEIVE VETERANS CREDITS.** Directions for applying for veterans preference and definitions for Veterans and Disabled Veterans are available on the Veterans Preference Application form (Form 1093) which is available from the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814 or their web site: www.spb.ca.gov

HIGH SCHOOL EQUIVALENCE: Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Educational Development (GED) test; 2) completion of 12 semester units of college-level work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; or 4) for clerical and accounting classes, substitution of business college work in place of high school on a year-for-year basis.

DEPARTMENT OF PERSONNEL ADMINISTRATION

1515 "S" Street, North Building, Suite 400
Sacramento California 95811-7258

TDD is a Telecommunications Device for the Deaf and is reachable only from phones equipped with a TDD Device.

From TDD Phones: 1-800-735-2929

From Voice Phones: 1-800-735-2922